



Executive Regulation

Office of the County Executive
Montgomery County, Maryland

Subject	RESIDENTIAL AND COMMERCIAL RECYCLING	Number	109-92AM
Originating Department	DEPARTMENT OF ENVIRONMENTAL PROTECTION	Effective Date	January 13, 1994

property(ies). Property owners may exercise this option at the request of a business.

- (d) **Property Owner of Commercial Properties.** Property owners must make recycling collection service and storage space for recyclable solid waste available to tenants in compliance with these regulations and Section 48-24(b)(3) of the Montgomery County Code.

Section 3. Administration.

(a) Responsibilities of the Department.

- (1) **Forms.** The Department must prepare any forms, as appropriate, that assist multi-family dwellings with more than 6 units and businesses in meeting the requirements of these regulations.
- (2) **Confidentiality.** Subject to applicable law, the Department must maintain the confidentiality of any information required to be provided in these regulations that identifies markets or customers. The Department must not, unless required by law to do so, disclose this information to third parties other than in nonspecific summary form in general recycling and solid waste analyses. This requirement does not prohibit the Department from using this information in preparing a summary analysis of waste reduction and recycling activities in the County.
- (b) **Waiver.** The Director may grant a waiver of the provisions of these regulations when there are practical difficulties, undue hardships or other bona fide reasons involved in carrying out the provisions of these regulations, provided that the spirit and intent of the law are observed and public welfare and safety are assured.
- (c) **Subpoena.** The Director may issue a subpoena to any person subject to these regulations to compel the production of relevant evidence of compliance with these regulations, including:



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- (1) An audit by the Department of the on-site solid waste stream; and
- (2) The business records of the business relating to the management of solid wastes and recycled materials.

Section 4. Enforcement.

These regulations may be enforced in accordance with Montgomery County Code 1984, as amended, Section 48-49 or Section 48-30.

Section 5. Severability.

If any portion of this regulation is found to be invalid by a court of competent jurisdiction, the remainder of this regulation will remain in effect.

Section 6. Construction.

This regulation must be construed liberally to permit the department to effectuate the purposes of Article V (recycling) of Chapter 48 of the Montgomery County Code 1984, as amended, and the policies of the County's Comprehensive Solid Waste Management Plan.

Neal Potter
County Executive

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92.00398

APPROVED AS TO FORM AND LEGALITY.

OFFICE OF COUNTY ATTORNEY

BY

DATE

5/27/93

ATTACHMENT 1: MAP OF RECYCLING SERVICE AREAS

Intentionally deleted.

ATTACHMENT 2:

SCHEDULE FOR SINGLE FAMILY RESIDENTIAL RECYCLING PROGRAM

Materials to be recycled	Recycling service subarea	Commencement date
Newspaper	All subareas	Immediately
Containers made of glass, aluminum, bimetal, and plastic	1-5 .	Immediately
	6 and 10	Immediately
	7 and 11	Immediately
	8 and 13	Immediately
	9	Immediately
	12	Immediately
Yard waste	1-5	Immediately
	6-9	Immediately
	10-12	April 1, 1993

ATTACHMENT 3:
SCHEDULE FOR MULTI-FAMILY RESIDENTIAL RECYCLING PROGRAM

All properties will be required to submit an annual report.

Size of complex (# of units)	Plan due date	Commencement date
7-100	Not required*	September 23, 1994
101 to 200	March 23, 1994	June 23, 1994
201 to 300	December 23, 1993	March 23, 1994
301 +	June 23, 1993	September 23, 1993

* A plan is not required for properties less than 101 units unless the facility is requesting approval to use the Montgomery County Recycling Center.

ATTACHMENT 4

BUSINESS REPORTING AND RECYCLING PHASE-IN SCHEDULE

BUSINESS SIZE (Number of On-Site Employees)	PLAN DUE DATE	BEGIN RECYCLING	ANNUAL REPORT DUE DATE (Previous Calendar-Year)
Businesses with 250 or more on-site employees	July 23, 1993	November 23, 1993	February 1 (First report due in 1995)
Businesses with 100 or more on-site employees	November 23, 1993	March 23, 1994	March 1 (First report due in 1995)
Businesses with fewer than 100 on-site employees	Upon Request by DEP. (No sooner than July 23, 1994)	November 23, 1994	Upon request by DEP. (No sooner than April 1, 1996)